

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
CHEVRON CORPORATION,

Plaintiff,

-against-

11 Civ. 0691 (LAK)

STEVEN DONZIGER, et al.,

Defendants.
----- x

ORDER
(Corrected)

LEWIS A. KAPLAN, *District Judge*.

The Court inadvertently failed to dispose fully of Chevron's motion to hold Donziger in contempt for failure to comply with the Court's March 5, 2019 order [DI 2175]. It does so now.

The Court finds that Donziger is in wilful contempt of paragraph 5 of the March 5, 2019 order, the Forensic Inspection Protocol [DI 2172]. Unless Donziger previously shall have complied fully with each duty imposed upon him by paragraph 5 of the March 5, 2019 order, he shall pay a coercive civil fine to the Clerk of Court with respect to June 3, 2019 and each subsequent day from that date until the date on which he fully purges himself of this contempt by doing so. The amount of the coercive fine shall begin at \$2,000 for June 3, 2019. It shall double for each subsequent day during which Donziger fails fully to purge himself of this contempt until the fine, so calculated, would reach or exceed \$100,000, at which point it would become \$100,000 for that and each subsequent day that Donziger fails to purge fully the contempt.¹

Nothing herein forecloses the possibility of the Court granting additional coercive relief, including increased fines and other measures, in the event the civil contempt herein is not fully purged.

SO ORDERED.

Dated: May 29, 2019
Corrected: June 4, 2019

/s/ Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge

The Court intended to include this language in prescribing the escalating nature of the fines in the May 23, 2019 opinion, paragraphs 1(b) and 2(b) of the conclusion. The Court would amend those paragraphs accordingly if the Court of Appeals were to restore jurisdiction for that purpose.

